

REMARKS

Applicant has amended claim 29 merely to correct a typographical error.

On page 2 of the Office Action, claims 20-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith Jr., U.S. Patent No. 2,812,254 ("Smith"). Applicant claims a method of reducing a "draft effect of a flue duct upon an upstream exhaust gas cleaning system." Applicant claims "relieving the upstream exhaust gas cleaning system from the draft effect of the flue duct". Applicant submits that there is no such disclosure in Smith. Smith does not disclose a method of reducing a "draft effect" of a flue duct upon an upstream exhaust gas cleaning system rather Smith merely relates to "the cooking of food products and has for its principal object the provision of an improved method and apparatus for the continuous production of potato chips" (col. 1, lines 15-18 of Smith).

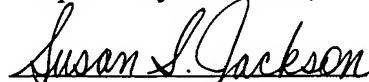
Furthermore, Applicant submits that Smith does not disclose extending or immersing a downwardly open flue duct *into a vat* to form a liquid barrier that is adapted to *close off* a flue gas end of said flue duct relative to the environment (emphasis added). It is noted that the Examiner references in Smith a tank identified by bottom wall 40, side walls 41, and end walls 42 and 43 as a vat. The Examiner also points to the flue duct 106 in Smith. However, Applicant notes that the only reference to flue duct 106 in Smith is in col. 6, lines 61-63 where it refers to "[a] hood 105 having an outlet flue 106 may cover all or a major portion of the tank for collecting and carrying off the fumes of the hot oil..." It is clearly illustrated in Figures 1, 2, 5 and 7 of Smith that outlet flue 106 is not extended downwardly or immersed into the referenced tank. Figure 5 clearly illustrates the walls of the tank, and Figure 7 clearly illustrates the confinement of the liquid. It is clear from the figures in Smith that the outlet flue is not downwardly extended or immersed into the tank as claimed in the present invention.

Furthermore, the outlet flue 106 in Smith is not closed off as the stated purpose of the outlet flue in Smith is for collecting and carrying off the fumes of hot oil.

The Examiner states in the Office Action that oil is the liquid collected in the vat to form a liquid barrier. It is noted that Smith does not disclose "lowering the level of the liquid in the vat below an edge of the flue duct to expose at least a portion of a cross-section of the flue duct" as the flue duct in Smith cannot be "exposed" since it was not extended or immersed into the vat to begin with. Therefore, this second aspect or feature of independent claim 20 is also not met. Hence, the references in the Office Action to lowering weirs, for example, in col. 5, lines 1-41, do not disclose Applicant's claimed invention for the reasons discussed herein. Furthermore, independent claim 29 does not disclose an open flue duct that is "adapted" to be immersed in liquid collected in the vat. Therefore, Applicant contends that Smith does not disclose the claimed invention. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection.

In view of the foregoing, it is respectfully urged that the present claims are in condition for allowance and reconsideration is requested. An early notice to this effect is earnestly solicited. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned at the number shown below.

Respectfully submitted,



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